

# **EXHIBIT L**

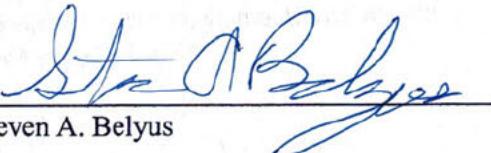
**AFFIDAVIT OF STEVEN A. BELYUS**

STATE OF OHIO )  
COUNTY OF JACKSON )SS:

I, Steven A. Belyus, being first duly sworn according to law, do hereby depose and state as follows:

1. My name is Steven A. Belyus and I am of sound mind, lawful age and in all other respects competent to make this affidavit. I have personal knowledge of the events that give rise to the making of this affidavit.
2. I have been retained by Plaintiff to serve as an expert witness in issues concerning commercial trucking and logistics.
3. All statements, opinions and conclusions in the attached report are given to a reasonable degree of certainty in the field of commercial trucking and logistics.
4. My report is attached at Attachment 1.

Further affiant sayeth not.

  
Steven A. Belyus

Sworn to before me and subscribed in my presence this 28 day of July, 2021.

  
\_\_\_\_\_  
NOTARY PUBLIC



Michael Wm Warren  
Notary Public  
State of Ohio  
Lifetime Commission  
Attorney At Law

# **ATTACHMENT 1**

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Scientific Traffic Accident Reconstruction  
Specialists  
June 8<sup>th</sup>, 2018

Leizerman & Associates  
Michael Leizerman  
3450 W. Central Ave.  
Suite 328  
Toledo, OH 43606

RE: Allen M. Miller  
plaintiff,  
v.  
C.H. Robinson Worldwide, Inc.,  
Ronel R. Singh, Rheas Trans. Inc.,  
and Kuwar Singh D/B/A RT Service  
defendants

United States District Court  
District of Nevada  
Case No.: 3:17-cv-00408-MMD-WCG

Mr. Leizerman,

On March 21<sup>st</sup>, 2018 you retained STARS Consulting, LLC. to investigate the above-mentioned matter, as it relates to compliance with the Federal Motor Carrier Safety Regulations (FMCSR).

#### REFERENCE MATERIALS

- Tractor-Trailer Driver Training Manual – JJ Keller
- Truck Driver Handbook – JJ Keller
- Commercial Motor Vehicle Driver Fatigue, Long-Term Health, and Highway Safety – National Academies of Sciences.Engineering.Medicine 2016
- Federal Motor Carrier Safety Regulations (FMCSR)
- Commercial Vehicle Safety Alliance (CVSA) Out-of-Service Criteria
- FMCSA Safety Management System
- TLO TransUnion

#### INFORMATION REVIEWED

- Nevada Highway Patrol crash investigation #NHP161200817 and photos
- Motor Carrier Safety Assistance Program (MCSAP) inspection #NV9036009593 (2/1/2017)
- VINTrucks report by Vear, Inc.
- Vinlink report
- Smart Truck app.

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- Discovery Documents:
  - Bates #S0001 – S0148
  - Bates #ROBINSON\_0001 – ROBINSON\_0390
- DEPOSITIONS of:
 

|                 |              |               |
|-----------------|--------------|---------------|
| Bruce Johnson   | Ronel Singh  | Robert Miller |
| Joshua Erickson | Allen Miller | Renee Miller  |
- Freedom of Information Act (FOIA) request responses from the Federal Motor Carrier Safety Administration for USDOT#'s
  - 2148611 – Rheas Trans Inc.
  - 2465473 – Kuwar Singh, dba RT Service

### BASIC CRASH DESCRIPTION

This crash occurred on Interstate Route (IR) 80 near the City of Elko, in the State of Nevada, at approximately 10:00 PM on December 8<sup>th</sup>, 2016. Ronel Singh operated a 2005 Volvo VNL semi-tractor, towing a 2004 Great Dane, 53 foot, 2-axle, van-trailer eastbound. Mr. Singh lost control of the tractor-trailer and crossed into the median. The tractor-trailer rolled onto its passenger side and slid onto the westbound lanes, coming to rest blocking both westbound lanes and a large portion of the median.

Allen Michael Miller was driving westbound on IR 80 in a beige 1995 Chevrolet C-1500 pickup truck when he encountered the Singh tractor-trailer, on its side, blocking both lanes. Mr. Miller swerved to his left, into the median, where his vehicle struck/under-rode the semi-trailer.

The Nevada Highway Patrol (NHP) investigation determined that Mr. Miller was wearing his seatbelt at the time of the crash. His 1995 Chevrolet pickup truck did not contain “black-box” data that could be accessed. The engine electronic control module (ECM) of the Volvo engine was imaged but did not produce a record of the speed of the tractor-trailer at the time of the crash.

The area of the crash was rural, with no lighting. The position of the tractor-trailer, as the Miller pickup truck approached, was on its passenger side, approximately perpendicular to the roadway, with the top of the tractor and trailer facing east. This position obscured the commercial vehicle lights and retroreflective tape (required by 49CFR393.11) to Mr. Miller’s approach.

### VEHICLE IDENTIFICATION

The NHP crash investigation and the post-crash MCSAP inspection both identify the tractor as a 2004 Volvo with VIN: 4V4NC9TG94N365204, displaying California license plate #WP72445 and fleet #815. [A NHP photo of the tractor’s hood taken at the storage facility, shows the hood marked with Fleet #1108 in 2-locations.]

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No NHP photos were provided that depicted the tractor VIN plate. A photo that appears to have been taken by an insurance claims adjuster (Bates S0091) shows the Volvo VIN: 4V4NC9TH05N39337. This VIN identifies a 2005 Volvo VNL tractor with an ISX engine. This tractor identification is supported by the NHP download of the engine ECM. The Engine Dataplate Report confirms the last 8-digits of the VIN as 5N393337. The certificate of registration and license plate used with this tractor was fictitious, in violation of Nevada State Ordinance and 49CFR390.35(c).

An electronic investigation based on the true VIN shows the last known registrant as Caldwell Freight Lines Inc. from Lenoir, North Carolina. The last known license plate was North Carolina – LS8063, issued 1/31/2012.

#### DRIVERS HOURS OF SERVICE (HOS)

The much larger size of tractor-trailers, travelling on the same highways with much smaller passenger vehicles, creates the potential for more devastating results when involved in a crash. The peculiar traits of tractor-trailers (air brakes, high center of gravity, articulation, longer stopping distances, etc.) require a greater degree of attention to task than does a passenger vehicle. Since driver fatigue can reduce a driver's attention/reaction, science-based rules that regulate the hours of driving a commercial motor vehicle (CMV) have existed for many decades.

False Log        49CFR395.8(e)

On page 10 of the NHP report Trooper Jenkins recorded that, "*Mr. Singh stated that on December 6<sup>th</sup>, 2016 he worked 6 hrs during the day, and 2 hrs at night in his company's dispatch.*"

Mr. Singh's log indicates that he conducted no work on 12/6/2016.

False Statements

On page 3 of **Defendant Ronel Singh's Responses to Plaintiff's Interrogatories, Request for Admissions, Request for Production of Documents**; he stated that he left Sacramento the day before the accident and stayed in Fernley, Nevada on the day of the accident. He advised that he left Fernley at 6 – 7 PM. This opposes his log entries, which indicate that he left Sacramento on the day of the accident. It also opposes his deposition testimony (page 135).

Another statement in the same document in response to **Request for Production No. 2** appears to be false when he stated that he only drove locally for 30 days after the accident. The carrier load history provided by C.H. Robinson (ROBINSON\_0016) indicates that a load was delivered by RT Service on 12/15/16 from Spanish Fork to Tracy, UT.

False Logs

The log page presented by Mr. Singh, dated 12/7/16 appears to be false. It states, "off duty for 14 days", but indicates the days off from, "11/03/16 to 12/07/16" a period of 34 days. The date at the upper left of the page should be the first date of an extended time-off period. Instead it shows the last date of 12/7/16.

The C.H. Robinson load history (ROBINSON\_0016) indicates that they provided 22 loads to RT Service on 17 days during the period 11/3/16 through 12/3/16.

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In Defendant Kuwar Sing's Answers to Plaintiff's Interrogatories, Ronel Singh's answer to interrogatory #14 states; "RT Service owned a tractor. I was the only driver."

False Log OOS violation

Mr. Singh's log for the day of the crash, 12/8/2016, indicates that he was off-duty until 1:00 PM. At that time, he completed a PTI and started driving, working until the time of the crash.

In his deposition (page 135) Mr. Singh advised that he picked up the load early on 12/8/16 and parked at his property. He did not record this work/driving activity.

False Log OOS violation

Mr. Singh's log for the day of the crash, 12/8/2016, indicates that he took a 30-minute break from 4:30 PM until 5:00 PM. FMCSR requires that a driver go off-duty for at least 30-minutes in order to drive more than 8-hours in a day. Going "off-duty" means that the driver is relieved of all responsibility for the vehicle and load. Fueling a truck may not be recorded as off-duty, but rather as on-duty not driving.

The driving time from loading in Sacramento to delivery in Salt Lake City would take almost exactly 11-hours to complete in good weather, including the required 30-minute break (643 miles with drive-time of 10 hours 25 minutes according to the Smart Truck app). The early load pick-up was not logged, and the actual 30-minute rest break was not taken as a hedge against going over his 11-hour limit to reach his delivery location.

In his deposition (page 30), Mr. Singh advised that, in addition to driving the truck for his own company, he was driving for SHR Transport, in Sacramento. None of this driving time appears in his log from 11/3/16 – 12/7/16.

#### RT SERVICE REGULATORY COMPLIANCE

A review of materials provided by the motor carrier failed to produce any evidence that Mr. Singh participated in a drug/alcohol random testing pool as required by 49CFR382.305.

In the month before the crash, RT Service was at ALERT level in the HOS basic, and 3-points below ALERT level in the vehicle maintenance basic (FOIA). Both basics had been in ALERT level for each of the previous 9-months.

The truck that Mr. Singh crashed was in an OOS condition, with 2 of 10 brakes out of adjustment.

During the time RT Service was contracted with CH Robinson until the time of the crash (nearly 3-years) the driver OOS rate was twice the national average and the vehicle OOS rate was 170% of the national average (Exhibit #25).

Instead of obtaining proper title and registrations for CMVs under RT Service, Mr. Singh declared that they were leased to the chameleon company by Rheas Trans, which had lost operating authority and filed bankruptcy (Singh deposition page 193). He operated with fictitious registrations in violation of California State Code and 49CFR390.35(c).

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In deposition testimony, Mr. Singh indicated that he did not have a systematic method for vehicle maintenance (page 51-53, 79-85), in violation of 49CFR396.3. He could not produce inspection documents for the vehicle involved in the crash.

**Reincarnated (Chameleon) Motor Carriers** - are defined as having common ownership, common management, common control or common familial relationship.

As his initial business, RHEAS Trans Inc., was failing, Ronel Singh was meticulous about keeping his name out of documents filed to create the new motor carrier, Kuwar Singh (dba RT Service):

- The initial filing (OP-1) was signed by Kuwar Singh, Ronel's father.
- The initial MCS-150 was signed by Anju Setia, Ronel's wife.

Subsequent MCS-150's were signed by Kuwar Singh who, in so doing and warned against perjury, swore that he was familiar with the FMCSR. Ronel testified that his father understood no English.

The first question in the Kumar Sing (RT Service) MC authority application (Exhibit #3), submitted **1/8/2014**, was; "Do you now have authority from or an application being processed by the FMCSA? They answered NO.

4/17/12 RHEAS Trans was placed OOS due to failing their new entrant safety audit

11 inspections of RHEAS Trans vehicles were documented from 1/8/14 – 8/24/14 (FOIA documents), after the application for authority for Kumar Singh (RT Service) was submitted.

RHEAS Trans underwent Involuntary Revocations of their operating authority on:

4/23/13      7/15/13      1/21/14

Ronel Riteshkumar Singh filed Chapter 7 bankruptcy on 1/28/14.

RT Service underwent Involuntary Revocations of their operating authority on:

10/4/16      1/11/17

**Timetable of Events**

| DATE    | EVENT  |
|---------|--|
| 4/17/12 | RHEAS Trans' authority was revoked for failing their new entrant audit               |
| 4/23/13 | RHEAS Trans' authority was revoked   |
| 7/15/13 | RHEAS Trans' authority was revoked   |
| 1/8/14  | Singh applied for authority for Kumar Sing (RT Service)-a reincarnated motor carrier |
| 1/21/14 | RHEAS Trans' authority was revoked   |
| 1/28/14 | Ronel Singh filed Chapter 7 bankruptcy   |
| 2/4/14  | RT Service signed contract with C.H. Robinson  |
| 2/5/14  | C.H. Robinson authorized RT Service to haul for them                                 |
| 10/4/16 | RT Service's authority was revoked   |
| 12/8/16 | Ronel Singh traffic crash with Allen M Miller  |
| 1/11/17 | RT Service's authority was revoked   |

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### C.H. ROBINSON

Motor carrier safety ratings are summarized by FMCSA as:

- Satisfactory - the carrier has the 11 safety management controls listed in 49CFR385.5 in place and functioning
- Conditional - a carrier does not have adequate safety management controls in place to ensure compliance with the safety fitness standard that could result in occurrences listed in 49CFR385.5
- Unsatisfactory - a carrier does not have adequate safety management controls in place to ensure compliance with the safety fitness standard which has resulted in occurrences listed in 49CFR385.5
- Unrated - a safety rating has not been assigned to the motor carrier

C.H. Robinson (Johnson deposition page 26-27) will not use a carrier with a Conditional or an Unsatisfactory rating (a carrier with an unsatisfactory rating will not have interstate operating authority). They **do** use unrated carriers – which is a blank page as far as safety. He justified this by estimating that 80% of motor carriers are unrated. Mr. Johnson (page 69) also indicated that they depend upon the professionals at FMCSA to determine the safety of carriers but, failed to explain how the ongoing safety of a carrier has been evaluated when it is UNRATED.

There are volumes of data concerning the safety (or lack thereof) of operation of motor carriers that FMCSA posts on-line so shippers and brokers can make an educated evaluation about entrusting cargo to them. The FMCSA also provides private safety data more specific to each motor carrier's operations that C.H. Robinson could access by making it a provision of the contract. C.H. Robinson refuses to visit any of this safety data before assigning cargo to unrated motor carriers. According to Mr. Johnson, serving as corporate representative in his deposition, C.H. Robinson does not look at vehicle or driver OOS rates (page 73-75), and they do not look at SMS or CSA website data (page 68-70). The fact that a motor carrier's authority was repeatedly revoked, and insurance certifications were repeatedly changed would probably not raise a red flag with C.H. Robinson (page 41).

During the time RT Service was contracted with C.H. Robinson until the time of the crash (nearly 3-years) the driver OOS rate was twice the national average and the vehicle OOS rate was 170% of the national average (Exhibit #25).

During his deposition, Ronel Singh's description of RT Service met the definition of a reincarnated carrier and illustrated a lack of knowledge about basic components of a motor carrier's safety management system:

- He described that he listed the carrier in the name of his father, who signed the OP-1 (who did not speak English) (page 26, 48)
- He described how he routinely, manually adjusts automatic slack adjusters (in contravention to all manufacturer's instructions) (page 44, 84)

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- He indicated further lack of understanding of the CMV brake system indicating that he thought the ABS light would tell him if brakes were out of adjustment (page 90).
- He did not have a systematic method for vehicle maintenance (page 51-53, 79-85).
- He was unfamiliar with checking his company's on-line record of PSMS (page 53-54, 78).
- He had no safety manuals or driver's handbooks for his business. He had no written policies. C.H. Robinson never asked about them. (page 113-114).
- C.H. Robinson never asked about his financial condition or whether he had a systematic method of CMV maintenance (page 179).
- He did not know what a "FAST" certificate, preferred by C.H. Robinson to haul from ports of entry, was (page 216).
- He was unable to properly describe the 30-minute break HOS requirement, indicating that he does not understand the basic HOS rules (page 269).
- He indicated that he pays \$400 - \$450 every 10,000 miles for a truck inspection [about 10-times the average cost for a periodic inspection] (page 304-305).
- He incorrectly indicated that he was required to keep 14 days of logs with him for roadside inspections (page 317).
- He indicated by his testimony that he did not understand the 34-hour HOS restart rule (page 392).

Had C.H. Robinson conducted a very brief telephone interview to check the respondent's knowledge and safety management practices, they could have been informed as to Mr. Singh's lack of knowledge and compliance to safety regulations.

As a certificate holder, C.H. Robinson requires a copy of the current insurance certificate from its contracted carriers. Upon receipt, they issue a notice of acceptance. They might have suspected an insolvency issue to investigate, since RT Service was issued 6-certificates plus an involuntary revocation in 2016 alone.

**Insurance Certificates Issued for Kuwar Singh (RT Service)**

| Date of Certificate | Insurance Provider              | Policy Dates from/to | CH Robinson Approval |
|---------------------|---------------------------------|----------------------|----------------------|
| 2/3/14              | Noble West Ins. Services        | 1/10/14 - 1/10/15    | 2/5/14               |
| 1/9/15              | Noble West Ins. Services        | 1/10/15 - 1/10/16    | 1/9/15               |
| 1/5/16              | Noble West Ins. Services        | 1/10/16 - 2/6/16     | 1/8/16               |
| 1/22/16             | Noble West Ins. Services        | 1/10/16 - 2/6/16     | 1/22/16              |
| 2/5/16              | Roadways Commercial Ins. Agency | 2/8/16 - 2/8/17      | 2/8/16               |
| 4/5/16              | Roadways Commercial Ins. Agency | 2/6/16 - 2/6/17      | None issued          |
| 5/6/16              | Roadways Commercial Ins. Agency | 2/6/16 - 2/6/17      | 5/5/16               |
| 10/4/16             | INVOLUNTARY REVOCATION          |                      |                      |
| 11/3/16             | Roadways Commercial Ins. Agency | 9/27/16 - 9/27/17    | 11/11/16             |
| 1/11/17             | INVOLUNTARY REVOCATION          |                      |                      |

RT SERVICE SIGNED THE CONTRACT WITH C.H. ROBINSON 2/4/14 (ROBINSON\_0122).

THEY WERE AUTHORIZED TO HAUL FOR C.H. ROBINSON ON 2/5/14 (ROBINSON\_0111).

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The practice of advancing up to  $\frac{1}{2}$  the pay for a load encourages carriers that are not financially solvent. C.H. Robinson charges 3% on the amount advanced (Johnson deposition page 25) for this service.

### CONCLUSIONS

Ronel Singh has a history since 2011 of unsafe operation as a motor carrier. He has obtained operating authority for 3 carriers, the last two having been reincarnated motor carriers. All three have lost operating authority due to unsafe operation.

The timeline shows that he applied (with his father's name) for authority for RT Service 13-days before his authority for Rheas Trans was revoked and 20 days before filing bankruptcy.

Mr. Singh does not understand HOS rules based upon his answers during his deposition. He does not care about HOS rules as evidenced by more than 21 false log entries discerned during analysis of the case.

Mr. Singh was driving for another trucking company as well as his own but no log entries for this appear in the 34 days record prior to the crash.

Mr. Singh's log for the day of the crash was falsified at two points, based upon his testimony. He was unlikely to make the delivery destination within his 11-hour driving time, and would not be able to meet the delivery timeline after having to take 10-hours off duty.

Mr. Singh has not complied with minimum vehicle maintenance requirements as evidenced by deposition testimony and document production.

Mr. Singh was using fictitious registration documentation to operate trucks at RT Service.

RT Service signed a contract with C.H. Robinson on 2/4/14 and was authorized to haul for them on the following day.

C.H. Robinson conducted no interview with Mr. Singh, nor did they check any publicly available safety information on RT Service other than their rating, which was listed as UNRATED.

While RT Service performed contract work with C.H. Robinson they did not note that, during the 9-month period leading up to the crash, the carrier was at the ALERT level in both, the HOS basic and the vehicle maintenance basic.

C.H. Robinson did not note that, during the nearly 3-years they contracted with RT Service that the driver OOS rate was twice the national average and the vehicle OOS rate was 170% that of the national average.

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C.H. Robinson did note, but did not care that, during 2016 alone, they received 6-different insurance certificates might have noted one involuntary revocation for RT Service.

### SUMMARY

Ronel Singh was obviously operating unsafely as a motor carrier and had no interest in correcting his operations. He operated in this fashion until he was about to lose authority and would then obtain new authority under a different name. He did this twice. All three of his motor carrier operations (that we know of) have lost authority.

His complete disregard for HOS rules may have caused fatigue which contributed to this crash. Due to his prolific falsification of his record of duty status, it is impossible to track. He had no regard for CMV maintenance or inspection and was operating an unsafe CMV at the time of the crash.

C.H. Robinson authorized RT Service to haul for them the day after they signed the contract, having only checked to see that insurance was in force and they were not rated conditional or unsatisfactory. They were, in fact, rated as UNRATED, meaning they were a blank page as far as a safety rating. On one hand. C.H. Robinson states that, if they are authorized by FMCSA, they depend upon those professionals saying that they are safe. On the other hand, the UNRATED rating indicates that they don't have sufficient data to draw an opinion.

C.H. Robinson refuses to check the volumes of publicly available safety data that would have shown that RT Service was far less safe than the average motor carrier, instead relying upon an UNRATED safety rating. Based upon his answers during deposition, even a brief telephone interview with Mr. Singh would have shown that he did not have adequate safety management knowledge or practices in place.

STARS Consulting, LLC certifies that the opinions and conclusions declared in this report have been arrived at within a reasonable degree of scientific and professional certainty. They are based upon the application of reliable principles and scientific methodologies to all of the facts available to STARS Consulting, LLC at the time this report was drafted, as well as knowledge, skill, experience, training, and education. Should additional information be discovered, STARS Consulting, LLC reserves the right to appropriately amend or augment these findings.

*Steven A Belyus*

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## Investigator's Curriculum Vitae

### **Specialized Traffic Crash Training**

Basic Crash Investigation – Ohio Highway Patrol Academy, 1977  
Technical Crash Investigation – Ohio Highway Patrol Academy, 1993 (80 hours)  
Vehicle Dynamics – Northwestern University Traffic Institute, 1993 (40 hours)  
Traffic Crash Reconstruction – Northwestern University Traffic Institute, 1993 (80 hours)  
VC2000 Accelerometer – Vericom Division, 1994 (16 hours)  
Commercial Vehicle Dynamics/Crash Reconstruction – Institute of Police Technology & Management, 1994 (40 hours)  
Forensic Mapping Certification – MJC & Assoc., 2003 (40 hours)  
Forensic Mapping Continuing Studies (CAD) MapScenes Pro – MJC & Assoc., 2004 (40 hours)  
Crash Data Retrieval (CDR) Certification – Collision Safety Institute, 2004 (24 hours)  
Inspection/Investigation of Commercial Vehicle Crashes – Institute of Police Technology & Management, 2005 (40 hours)  
Vista FX3 CAD training-Visual Statements, 2010 (40 hrs)  
Edge FX CAD / animation training-Visual Statements, 2012 (40 hrs)  
Advanced Reconstruction w/CDR Applications-CDR Trainers, OSHP Acad., 2013 (40 hrs)  
IDRR (Integrated Driver Response Research) training-Crash Safety Solutions, 2014 (16 hrs)  
Pix4D Instructional Workshop (presented by Pix4D @ Dayton, OH) 2017 (16 hours)

### **Seminars**

MapScenes 2006 Upgrade – Microsurvey, June, 2005 (16 hours)  
ARC/CSI Crash Reconstruction Conference – (Las Vegas) June, 2005  
NAPARS Crash Reconstruction Conference – (Columbus) July, 2005  
ARC/CSI Crash Reconstruction Conference – (Las Vegas) June, 2006  
Presenter at Natl. Assoc. of Publicly Funded Truck Driving Schools-(Wilmington) 2008  
Visual Statements FX software – (Dayton) 2008  
Presenter at Nationwide Insurance Ohio District – (Columbus) 2009  
ARC/CSI Crash Reconstruction Conference – (Las Vegas) 2009  
Conduct & Present at multiple seminars (Driver Education & CDL Training) for Ohio Dept. of Public Safety; '06, '07, '08, 2009  
DOT Compliance Seminar (Marvin Johnson & Assoc.) 2009  
NAPARS Annual Conference (Portland, Me.) 2014  
Presenter - Ohio Association for Justice 2015 Annual Convention (Columbus, Oh.) 5/8/2015  
Presenter – Wayne Insurance Group (Wooster, Oh.) 5/14/15  
2017 EDR Summit, Houston, Tx., 3/6 – 3/8  
2018 EDR Summit, Houston, TX, 3/5-3/7

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### **Commercial Vehicle Training**

CMV Drug Interdiction – US Dept. of Transportation, 1992 (16 hours)  
North American Standard Level I Inspection – US Dept. of Transportation, 1998 (80 hours)  
Hazardous Materials Inspection – US Dept. of Transportation, 1999 (40 hours)  
Cargo Tank/Bulk Packaging Inspection – US Dept. of Transportation, 2000 (40 hours)  
Air Brake Specialist Certification – Bendix Corp. (Elyria, Oh.), 2000 (40 hours)  
Ohio School Bus Inspection Standards – Ohio State Patrol, 1999  
CheckMark Certified CMV Inspector – Continuous Update Training– 2010 – present  
Air Brake Specialist (update-new standards) – Bendix Corp. (Elyria, Oh.), 2011 (24 hours)  
Cargo Tank HM Training-HazMat Resources, Inc. (Powell, Oh.) 2014 (16 hours)  
Hazardous Materials Compliance (Powell, Oh.) 2015 (8-hours)  
Digital Forensics of Heavy Truck EDRs-(University of Tulsa, Ok.) 2015 (24 hours)

### **Memberships in Professional Organizations**

National Association of Professional Accident Reconstruction Specialists (NAPARS)  
National Association of Traffic Accident Reconstructionists & Investigators (NATARI)  
Accident Reconstruction Network (ARC)  
Professional Society of Forensic Mapping (PSFM)  
Ohio Trucking Association (OTA)

### **Experience**

Commissioned with Ohio State Highway Patrol; 1978 – 2005

- Investigated, Reconstructed, and/or reviewed over 3,000 traffic accidents.

Served as a Field Reconstructionist with the Patrol's Crash Reconstruction Section; 1994 – 2005

- Traffic Crash Reconstructionist since 1994 averaging 14 reconstructions per year.
- Crash Reconstruction involving Commercial Motor Vehicles since 1995 averaging >5 per year.
- CDR (automobile black box) download & analysis experience since 2004.
- ECM (heavy truck engine black box) download & analysis experience since 2004.
- Provided training at OSHP Academy for technical crash investigation classes.
- Provided specialized crash investigation training for troopers and crash investigation supervision training in the OSHP Jackson District.
- Provided field training for crash reconstructionists.

Forensic Mapping Specialist since 2001

- Mapping “survey” of crash scenes using electronic total stations to produce digital 2-D and 3-D renderings for use in crash reconstruction and courtroom presentations.
- Training/experience in the use of forensic CAD software (MapScenes, AutoCad, Cad Zone, Vista FX3, Vista Edge)

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### Scientific Traffic Accident Reconstruction Specialists

Commercial Enforcement Coordinator for Ohio's southern district; 1998 – 2005

- Commanded & trained troopers and special enforcement personnel in enforcement of Federal Motor Carrier Safety Regulations, weight regulations, school bus and driver education issues.
- Provided training/information on changing state & federal regulations to the trucking industry by organizing quarterly public meetings that were attended by state & US legislators, company owners & safety managers.
- Routinely provided training on crash investigation and commercial vehicle enforcement to all troopers and their supervisors in the southern district.
- Supervised serious school bus crash investigations and supervised 2,400 school bus mechanical inspections per year.

Traffic Crash Quality Control for Ohio's southern district; 2000 - 2005

- Reviewed all crashes in southern Ohio involving fatality or a politically sensitive nature for investigative content/accuracy. For those found to have incorrect conclusions or lack of documentation I directed or personally conducted additional investigation/reconstruction.

Experienced in motorcycle operation since 1970.

Regulate State Driver Education Program; 2005 - 2011

- Administrative Consultant to the Ohio Dept. of Public Safety; to write legislation, regulate, and provide training for public/private Driver Training and CDL Training industry in Ohio.

Private Investigation Provider: 2005 – current for Traffic Crash Reconstruction in WVa. And Ohio

- Provider – two-day crash investigator training sessions through Ohio Trucking Assoc.
- Provider – multiple safety seminar presentations for drivers/supervisors at EQT
- Provider – training provider to CDL instructors at Southern State Community College

Federal Motor Carrier Safety Regulation Compliance Consultant: 2010 - present

Provider – Safety Management Plan consultation (since 2015)

Provider – FMCSR Safety/Compliance Audits (50+)

Provider – Motor Carrier Fleet Inspections (>1,000 CMV's inspected)

Provider – CMV Driver Safety Meetings

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## Rule 26 Trial Appearances; Steven A Belyus

| CASE NAME:   | COURT                                   | CASE NUMBER     | NATURE OF CLAIM                       | CLIENT             |
|--|---|-----------------|---------------------------------------|--------------------|
| Spellman vs. Burlington Motor Carrier  | Ross County Common Pleas                | 02C1000443      | CMV/car crash                         | Spetnagel, Thomas  |
| State of Ohio vs. Charles T. Drake   | Athens County Common Pleas Court        | 04CR016         | MV crash                              | State of Ohio      |
| State of Ohio vs. Ryan L. Williams Trial   | Pike County Court                       | CRB 04 00333    | MV crash                              | State of Ohio      |
| State of Ohio vs. Pauline Kalbaugh<br>Hearing 3/2/11 to compel release of discovery information by Ohio State Patrol | Washington Co. Marietta Municipal Court | CRB1001253      | Motorcycle/car crash                  | Baumgargel, Rolf   |
| Est. of Devron Lunsford v. Lauren Decker & James Meintel<br>Trial 6/27/2011 at Ohio County WV. Circuit Court         | Ohio County WV.<br>Circuit Court        |                 | Motorcycle/car crash                  | Fitzsimmons, Robt. |
| Ronald E Arick, et al. v. Timothy A Fast, et al.<br>Trial 10/5/2011 at Franklin Co. Common Pleas Ct., Columbus, Oh.  | Franklin County Common Pleas Court      | 07 CVC 10-13725 | CMV/car crash                         | Bush, Kevin        |
| Miriam Allen v. R&J Trucking, Inc. and William Cain, et al<br>Trial 10/3/12 at Wash. Co. Court, Marietta, Oh.        | Washington County Common Pleas Court    | 11-TR-300       | CMV/car crash                         | Carlisle, Matt     |
| W. Daniel Cordray vs. Jennifer L. Cordray<br>Hearing 2/14/11   | Athens County Common Pleas Court        | 10DV0007        | Forensic map in domestic assault case | Lavelle, John      |

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| CASE NAME:  | COURT                                    | CASE NUMBER     | NATURE OF CLAIM      | CLIENT             |
|---|--|-----------------|----------------------|--------------------|
| State of Ohio vs.<br>Carrie Jean Waters<br>Trial 7/8/2014   | Municipal Court<br>Franklin County, Ohio | 2014 TRD 122379 | MV crash             | Walker, William    |
| Diane Royer vs.<br>Ray Dillow, et al.<br>Deposition 3/24/2015<br>Deposition 4/3/2015<br>Trial 4/7/2015                  | Richland County<br>Court of Common Pleas | 12CV1425        | CMV/pedestrian crash | Rinehardt, John    |
| Douglas Dyer, et al., v.<br>Ohio Bureau of Workers<br>Compensation, et. al.<br>Deposition 11/20/2013<br>Trial 5/23/2016 | Franklin County Court of<br>Common Pleas | 09 CVC 12 18581 | tk/CMV non-contact   | Leizerman, Michael |

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### Rule 26 Deposition Appearances; Steven A Belyus

| CASE NAME:   | COURT   | CASE NUMBER  | NATURE OF CLAIM        | CLIENT                       |
|--|---|--------------|------------------------|------------------------------|
| Estate of Lawrence Richard Bartlett vs. City of Lancaster Deposition   | Fairfield Common Pleas Court  | 05-CV-269    | Motorcycle crash       | Riegel, Mark                 |
| Marlene Lawless et. al. vs. Nationwide Mutual Ins. Co. Deposition  | Lawrence County Common Pleas  | 05-PI-740    | MV crash               | Lambert, Randy               |
| Wm. David Graham, et al. vs. Nationwide Mutual Fire Ins. Co. Deposition  | Meigs County Common Pleas Court                                       | 08CV065      | CMV/car crash          |                              |
| Terry L Carter v. Lang Masonry Contractors Inc., et al. Deposition #2 9/2/11 at TheisenBrock Law Office, Marietta, Oh. Daubert hearing 7/17/12 Vinton County Court, McArthur, Oh. Deposition #1 8/2012 at TheisenBrock Law Office, Marietta, Oh. | Vinton County Common Pleas Court                                      | 08 CV 0104   | CMV/car crash          | Carlisle, Matt               |
| Gwendolyn Hunter, Admin. of Estate of Kevin Hunter v. Kathryn Harris, Exec. Of Robert Harris Deposition 9/9/2009   | Ross County   | 09 CI 000358 | car/15 pass prison van | Nationwide Ins. Ryan, Cheryl |
| Herald K. Wade, Administrator of the Estate of Darrell Wade v. Medford Trucking, LLC, and Elk Run Coal Company, Inc., d/b/a Republic Energy, Inc. Deposition 10/26/12 at Fitzsimmons Law Offices, Wheeling, WV                                   | Civil Action No.<br>Circuit Court of Kanawha County,<br>West Virginia | 10-C-2284    | CMV crash              | Fitzsimmons, Robt.           |

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| CASE NAME:  | COURT                                 | CASE NUMBER     | NATURE OF CLAIM          | Reconstruction Specialists<br>CLIENT |
|---|---------------------------------------|-----------------|--------------------------|--------------------------------------|
| Ronald E. Arick, et al. v.<br>Timothy A. Fast, et. al.<br>Deposition 8/19/11                            | Franklin County<br>Common Pleas Court | 07 CVC 10-13725 | CMV/car crash            | Bush, Kevin                          |
| Radouan El Fakiri v.<br>Rite Line Express, Inc., et al.<br>Deposition                                   | Lake County<br>Common pleas Court     | 2011 CV 003175  | CMV crash                | Peterson, Susan                      |
| Candy Westfall, et al v.<br>Mark Lemon, et al.<br>Deposition 11/14/13 at Sillery Law Ofc., Athens, Ohio | Wash Co.<br>Common Pleas Court        | 12 TR 282       | MV/ATV crash             | Meizlish, Sandford                   |
| Samantha Svoboda vs.<br>Heights Driving School et. al.<br>Deposition 9/25/14                            | Cuyahoga County<br>Common Pleas Court | CV 14 823668    | CMV/car crash            | Schlesinger, Shawn                   |
| Susan A. Derrow vs.<br>Griffis Motor Lines, Inc.<br>Deposition 6/18/14                                  | Hamilton County<br>Common Pleas Court | A-1204871       | CMV/car crash            | Leizerman, Michael                   |
| Douglas Dyer, et al. vs.<br>Ohio Bureau of Workers'<br>Compensation, et al.<br>Deposition 11/20/13      | Franklin County<br>Common Pleas Court | 09 CVC 12 18581 | CMV/CMV crash            | Leizerman, Michael                   |
| Cassie Rhoads v.<br>Jackson County, Oh.<br>Deposition 2/17/16   | Jackson County<br>Common Pleas Court  | 14 PI 3         | car/PU-TK crash          | Lambert, Randall                     |
| Daniel G Reineke v.<br>The Wheeling Park Commission and<br>James L Romish Jr.<br>Deposition 3/28/16     | Ohio County WV.<br>Circuit Court      | 14-C-114        | mc/golf cart non-contact | Wear, Brent                          |

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| Timothy L. Grubb, Administrator of<br>The Estate of Danny H. Grubb, deceased<br>Et. al., v. Day to Day Logistics, Inc. et. al.<br>Deposition 5/3/2016   | US District Court,<br>Southern District of Ohio<br>Eastern Division | 2:14-cv-1587-ALM-TPK       | multi car/CMV crash           | Luther, Cara  |
| William E. Smith v.<br>CTS Construction, LLC et. al.<br>Deposition 6/2/2016   | Gallia County<br>Common Pleas Court                                 | 15 CV 7                    | CMV v CMV crash               | Griffith, Joe   |
| Freddie Jones Jr. and Donnell C.Holmes<br>Sr. v. Praxair, Inc. and Anthony W.<br>Crossley<br>Praxair, Inc. 3 <sup>rd</sup> . party plaintiff v.<br>Risinger Bros Transfer, Inc. 3 <sup>rd</sup> party defendant<br>Deposition 6/30/2016 | US District Court,<br>Southern District of Ohio<br>Western Division | 3:15-CV-00277              | CMV v CMV crash               | Mark Napier   |
| George Stewart and Paula Stewart, vs<br>Blue Flame Pipeline, LLC<br>Deposition 11/9/2016  | Kanawa County, WV<br>Circuit Court                                  | Civil Action No. 15-C-1280 | Runaway CMV<br>vs Driver      | Andrew Byrd<br>Warner Law Ofcs.   |
| Doris Harrison and Terri McClanahan<br>vs Murphy Transportation, Inc. DBA<br>M&Q Trucking, Inc., an Ohio Corp. and<br>William Scudder<br>Deposition 3/17/2017   | Putnam County, WV<br>Circuit Court                                  | Civil Action No.16-C-91    | CMV v 2 passenger<br>vehicles | Truman Griffith/Warner<br>Law Offices<br>Joshua Pearson/ Prim<br><br>Law Firm |
| Gary Lilly, et al. v Seitz Trucking, Inc., et al.<br>Deposition 4/21/2017   | Jackson County<br>Common Pleas Court                                | Case No.: 16PI0005         | CMV v pickup truck            | Lawrence Scanlon<br>Scanlon & Elliott   |
| Michelle R. Matzke vs. IT Transport, LLC,<br>et al. Deposition 7/14/2017  | Summit County<br>Common Pleas Court                                 | Case No.: CV-2016-02-1008  | CMV v passenger<br>vehicle    | Collin Wise<br>Tzangas, Plakas, Mannos,<br>LTD                                |

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|---|---|----------------------------|--|--|
| Florence M. Huggins, Individually and as Administrator of the Estate of Matthew A. Huggins, Deceased vs. Davidson Trucking, Inc., et al.<br>Deposition 7/16/2017  | Hamilton County Common Pleas Court          | Case No. A 1600637         | CMV v. passenger vehicle               | Mark B. Smith<br>Mark B. Smith Co. LPA   |
| Miller v. Maple Drive Farms, Inc., et al.<br>Deposition 9/27/2017   | Crawford County Common Pleas Court          | Case No. 16-CV-0174        | CMV v. bicycle                         | Leeseberg & Valentine                    |
| Tamera A Morgan, Administratrix Of the Estate of Joseph Allen Bias, v. Kanawha Valley Regional Transportation Authority, a public corporation;<br>Robert T. Owen, as agent and employee of Kanawha Valley Regional Transportation Authority | Kanawha Co. WV.<br>Circuit Court            | Civil Action No.: 15-C-375 | Transit Bus v. pedestrian              | Hatcher Law Office<br>Warner Law Offices |
| Creagan, et al. v. Wal-Mart Stores, Inc., et al.<br>Deposition 2/28/2018  | US District Court<br>Northern Dist. Of Ohio | Case No.: 3:16-cv-2788     | Semi v multiple veh.<br>in Const. Zone | Leizerman & Assoc.                       |